

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 GLORIA A. BARRIOS
Supervising Deputy Attorney General
3 KIMBERLEE D. KING, State Bar No. 141813
Deputy Attorney General
4 300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
5 Telephone: (213) 897-2540
Facsimile: (213) 897-2804

6 Attorneys for Complainant

7
8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2010-26

13 **ELLEN MARIE BALDRIDGE**

4608 Vitrina Lane
14 Palmdale, California 93551

A C C U S A T I O N

15 Registered Nurse License No. 547478

Respondent.

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17 Heidi J. Goodman, ("Complainant") alleges:

18 **PARTIES**

19 1. Complainant brings this Accusation solely in her official capacity as the
20 Assistant Executive Officer of the Board of Registered Nursing ("Board"), Department of
21 Consumer Affairs.

22 **License History**

23 2. On or about August 31, 1998, the Board issued Registered Nurse License
24 Number 547478 ("license") to Ellen Marie Baldridge ("Respondent"). The license will expire on
25 May 31, 2010, unless renewed.

26 **JURISDICTION**

27 3. Section 2750 of the Business and Professions Code ("Code") provides, in
28 pertinent part, that the Board may discipline any licensee, including a licensee holding a

1 temporary or an inactive license, for any reason provided in Article 3 (commencing with Code
2 section 2750) of the Nursing Practice Act.

3 4. Code section 2764 provides, in pertinent part, that the expiration of a
4 license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding
5 against the licensee or to render a decision imposing discipline on the license. Under Code
6 section 2811, subdivision (b), the Board may renew an expired license at any time within eight
7 years after the expiration.

8 5. Code section 118, subdivision (b), provides that the suspension,
9 expiration, surrender, or cancellation of a license shall not deprive the Board of jurisdiction to
10 proceed with a disciplinary action during the period within which the license may be renewed,
11 restored, reissued or reinstated.

12 **STATUTORY PROVISIONS**

13 6. Code section 2761 states, in pertinent part:

14 The board may take disciplinary action against a
15 certified or licensed nurse or deny an application for a
certificate or license for any of the following:

16 (a) Unprofessional conduct, . . .

17 7. Code section 2762 states, in pertinent part:

18 In addition to other acts constituting unprofessional
19 conduct within the meaning of this chapter [the Nursing
Practice Act], it is unprofessional conduct for a person
20 licensed under this chapter to do any of the following:

21 (b) Use any controlled substance as defined in
22 Division 10 (commencing with Section 11000) of the
Health and Safety Code, or any dangerous drug or
23 dangerous device as defined in Section 4022, or alcoholic
24 beverages, to an extent or in a manner dangerous or
injurious to himself or herself, any other person, or the
25 public or the extent that such use impairs his or her ability
to conduct with safety to the public the practice authorized
by his or her license.

26 **COST RECOVERY**

27 8. Code section 125.3 provides, in pertinent part, that the Board may request
28 the administrative law judge to direct a licensee found to have committed a violation or

1 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
2 and enforcement of the case.

3 9. **DRUG**

4 "Vicodin," a compound consisting of 5 mg. hydrocodone bitartrate, also known
5 as dihydrocodeinone, and 500 mg. acetaminophen per tablet, is a Schedule III controlled
6 substance as designated by Health and Safety Code section 11056, subdivision (e)(4).

7 **CAUSE FOR DISCIPLINE**

8 **(Used a Controlled Substance to an Extent Dangerous or Injurious to Herself
9 or Others and to an Extent of Impairment)**

10 10. Respondent is subject to disciplinary action under Code section 2761,
11 subdivision (a), on the grounds of unprofessional conduct, as defined in Code section 2762,
12 subdivision (b), in that on or about August 21, 2006, Respondent used Vicodin, a controlled
13 substance, to an extent or in a manner dangerous or injurious to herself, any other person, or the
14 public and to an extent that such use impaired her ability to conduct with safety to the public the
15 practice authorized by her license. On August 21, 2006, while on duty at Antelope Valley
16 Hospital in Lancaster, California, Respondent was under the influence of a prescribed controlled
17 substance and was impaired to the extent that she could not safely care for her patients.

18 **PRAYER**

19 WHEREFORE, Complainant requests that a hearing be held on the matters herein
20 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

21 1. Revoking or suspending Registered Nurse License Number 547478 issued
22 to Ellen Marie Baldridge;

23 2. Ordering Ellen Marie Baldridge to pay the Board the reasonable costs of
24 the investigation and enforcement of this case, pursuant to Code section 125.3; and,

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3. Taking such other and further action as deemed necessary and proper.

DATED: 7/24/09


Heidi J. Goodman,
Assistant Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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